

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

DAVID M. KLINEDINST, EXECUTOR, ESTATE
OF MARY MOULSON KLINEDINST, DECEASED

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-0713

Decision No. CU **3504**

PROPOSED DECISION

Claimant asserts a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of Central Violeta Sugar Company, S.A., in which the late MARY MOULSON KLINEDINST owned a stock interest.

In our decision entitled the Claim of Huntley E. Cox, (Claim No. CU-2944 which we incorporate herein by reference), we held that the properties of Central Violeta Sugar Company, S.A. were nationalized or otherwise taken by the Government of Cuba on October 13, 1960, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per share of \$30.4318.

On the basis of evidence in the record in the instant case, the Commission finds that this claim comes within the terms of the Cox decision; that the late MARY MOULSON KLINEDINST was an American national at the requisite times; that she was the owner of 40 shares of stock in Central Violeta Sugar Company, S.A. from December 31, 1947

until her death in 1962; and that she suffered a loss in the amount of \$1,217.27 within the meaning of Title V of the Act by reason of the nationalization of that enterprise.

Further, the Commission finds that the late MARY MOULSON KLINEDINST was the owner of one share of stock in Antilla Sugar Estates from February 5, 1932 until her death in 1962. In our decision entitled the Claim of Mary Ellen K. Anderson, et al., (Claim No. CU-0741 which we incorporate herein by reference), we held that American Antilla Sugar Estates was nationalized by the Government of Cuba on October 13, 1960, at which time the value of each share of stock in that enterprise was \$413.25. Accordingly, the Commission finds that the late MARY MOULSON KLINEDINST suffered a loss in the amount of \$413.25 within the meaning of Title V of the Act by reason of the nationalization of that enterprise.

The Commission concludes that MARY MOULSON KLINEDINST suffered a total loss of \$1,630.52 on October 13, 1960 as a result of the nationalization on that date by the Government of Cuba of Central Violeta Sugar Company, S.A. and Antilla Sugar Estates; and that DAVID M. KLINEDINST, in his capacity as Executor of her estate, succeeded to that loss.

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement (see Claim of Lisle Corporation, Claim No. CU-0644), and in the instant case it is so ordered.

CERTIFICATION OF LOSS

The Commission certifies that DAVID M. KLINEDINST, EXECUTOR, ESTATE OF MARY MOULSON KLINEDINST, DECEASED, succeeded to a loss which was suffered as a result of actions of the Government of Cuba within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of One Thousand Six Hundred Thirty Dollars and Fifty-two Cents (\$1,630.52) with interest thereon at 6% per annum from October 13, 1960 to the date of settlement.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

FEB 12 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities for the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)